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GOVERNOR

STATE OF MAINE
DEPARTMENT OF MARINE RESOURCES
21 STATE HOUSE STATION
AUGUSTA, MAINE
04333-0021

PATRICK C. KELIHER
COMMISSIONER

Shellfish Harvesting Area Classification-Notification of Changes

May 29, 2015

Ladies and Gentlemen:

Under the authority of Maine statute 12 M.R.S.A., Chapter 607, Section 6172; the Commissioner has made the following classification and administrative change to Area No. 39, Blue Hill Harbor and vicinity (Brooklin, Sedgwick, Blue Hill): This notice repeals the Bragdon Brook (Blue Hill) Restricted area due to water quality meeting Approved standards and creates a new Restricted area in Curtis Cove (East Blue Hill) due to water no longer meeting Approved standards. This notice also changes the headings and numbers of some pre-existing closed areas due to administrative changes to the legal notice form. All existing pollution and red tide/psp closures remain in effect.

The boundary descriptions of the area are as follows (struck text is being removed and underlined text is being added):

- A. Effective immediately, because of pollution, it shall be unlawful to dig, take or possess any clams, quahogs, oysters or mussels from the shores, flats and waters of the following Prohibited area(s):
1. Blue Hill Harbor (Blue Hill): north of a line beginning at the west tip of Sculpin Point and running southwest ~~260 yards~~ to the east tip of Parker Point; AND south of a line that begins at the south tip of the point of land at the eastern side of the bridge over Mill Stream on Route 172/176 in downtown Blue Hill, then running southeast ~~approximately 1300 yards~~ to the southwest prominence of Peters Point; AND south of a line beginning at the eastern prominence of Peters Point; AND south of a line that begins on the east tip of Peters Point then running east-northeast approximately 370 yards to a red painted post located on the shore of a prominent point of land on the north shore of Blue Hill Harbor.
 2. McHeard Cove (Blue Hill): ~~inside (northwest)~~ of a line beginning at a red painted post located on the western shore at the mouth of McHeard Cove, then running northeast across the mouth of the cove to the south tip of Bay Point.
 3. Western Blue Hill Bay (Blue Hill): ~~inside and westerly~~ of a line beginning at the easternmost point of High Head, then running northeast to the most eastern tip of Sand Point (Blue Hill).
- ~~B. Effective immediately, because of non-point source pollution, it shall be unlawful to dig, take or possess any clams, quahogs, oysters or mussels taken from the shores, flats and waters of the following area without a special MDMR permit: Bragdon Brook (Blue Hill), west of a line beginning at the easternmost point of the southern shore of the mouth of the cove into which Bragdon Brook empties, then running approximately 500 yards north to the southeast tip of Holden Point. This area is classified as "Restricted", and harvesting requires a special MDMR permit.~~
- B. Effective immediately, because of pollution, it shall be unlawful to dig, take or possess any clams, quahogs, oysters or mussels from the shores, flats and waters of the following Restricted area(s) without a special MDMR permit:

1. Bragdon Brook (Blue Hill): west of a line beginning at a red painted post located approximately 315 yards from the center of the culvert on the Parker Point road on the southern shore of the cove into which Bragdon Brook empties, then running north to a red painted post approximately 335 yards from the center of the culvert on the Parker Point road on the northern shore of the cove into which Bragdon Brook empties.

2. Curtis Cove (Blue Hill): north of a line beginning at a red painted post located on the west shore of Curtis Cove, approximately 300 yards from the center of the culvert located at the head of the cove on the Curtis Cove Road and then running east to a red painted post on the east shore of Curtis Cove, approximately 340 yards from the center of the culvert located at the head of the cove on the Curtis Cove Road.

~~C. Effective immediately, because of non-point source pollution and proximity to the Blue Hill WWTP, the following areas have been classified as "Conditionally Restricted", and it shall be unlawful to dig, take or possess any clams, quahogs, oysters or mussels taken from the shores, flats and waters of the following areas without a special MDMR permit, and harvest shall be completely banned during any malfunction at the Blue Hill WWTP:~~

C. Effective immediately, because of proximity to a WWTP, it shall be unlawful to dig, take or possess any clams, quahogs, oysters or mussels from the shores, flats and waters of the following Conditionally Restricted area(s) without a special MDMR permit and during any closed period. For current open/closed status, please refer to the Statewide Conditional Area Closure Notice on the DMR website: http://www.maine.gov/dmr/rm/public_health/closures/closedarea.htm for open/closed status.

1. Blue Hill Harbor (Blue Hill): north of a line beginning at the south tip of the point of land at the eastern side of the bridge over Mill Stream on Route 172/176 in downtown Blue Hill, then running southeast to the southwest prominence of Peters Point. This area is classified as "Conditionally Restricted", and harvesting requires a special MDMR permit; The area will close following any malfunction/CSO event at the Blue Hill Wastewater Treatment Plant.

2. Blue Hill Harbor (Blue Hill): north of a line beginning at the eastern prominence of Peters Point then running northeast to a red painted post located on a prominent point of land on the north shore of Blue Hill Harbor. This area is classified as "Conditionally Restricted", and harvesting requires a special MDMR permit; The area will close following any malfunction/CSO event at the Blue Hill Wastewater Treatment Plant.

~~D. Effective immediately, because of intermittent seasonal pollution and proximity to the Blue Hill WWTP, the following area is classified as "Conditionally Approved", and it shall be unlawful to dig, take or possess any clams, quahogs, oysters or mussels taken from the shores, flats and waters of the following area during any malfunction at the Blue Hill WWTP: Blue Hill harbor (Blue Hill), south of a line beginning at the west tip of Sculpin Point and running southwest 260 yards to the east tip of Parker Point; AND north of a line beginning at the south tip of Woods Point, then running west-southwest to the east tip of Holden Point. This area is currently OPEN.~~

D. Effective immediately, because of seasonal pollution, it shall be unlawful to dig, take or possess any clams, quahogs, oysters or mussels from the shores, flats and waters of the following Conditionally Approved area(s) during the closed dates:

1. Blue Hill Salt Pond (Blue Hill, Sedgwick, Brooklin): west of a line beginning at a red painted post located at the northeast mouth of the cove into which Carleton Stream empties (Blue Hill), then running southwest to the west tip of Carleton Island (high tide position), then continuing southwest to the first unnamed point of land (high tide position) located approximately 400 yards south of Meeting House Point, beyond the end of Rob Road (Brooklin). This area is closed May 1 through October 31.

~~E. Effective immediately, because of intermittent seasonal pollution, the following area is classified as "Conditionally Approved", and it shall be unlawful to dig, take or possess any clams, quahogs, oysters or mussels from this area from May 1 through October 31: Blue Hill Salt Pond (Blue Hill, Sedgwick, Brooklin), west of a line beginning at a red painted post located at the northeast mouth of the cove into which Carleton Stream empties (Blue Hill), then running south-southwest to the west tip of Carleton Island (high tide position), then continuing south-southwest to the first unnamed point of land (high tide position) located approximately 400 yards south of Meeting House Point, beyond the end of Rob Road (Brooklin). This area may be harvested with a special MDMR permit during the closed status (May 1 through Oct. 31), and is open to unrestricted harvest during the open status (Nov. 1 through April 30).~~

E. Effective immediately, because of proximity to a WWTP, it shall be unlawful to dig, take or possess any clams, quahogs, oysters or mussels from the shores, flats and waters of the following Conditionally Approved area(s) following any malfunction/CSO event at the Blue Hill Wastewater Treatment Plant. For current status, please refer to the Statewide Conditional Area Closure Notice on the DMR website:
http://www.maine.gov/dmr/rm/public_health/closures/closedarea.htm for open/closed status.

1. Blue Hill Harbor (Blue Hill): south of a line beginning at the west tip of Sculpin Point and running southwest to the east tip of Parker Point; AND north of a line beginning at the south tip of Woods Point, then running southwest to the east tip of Holden Point.

If you have questions, please contact Angel Ripley or Kohl Kanwit, Department of Marine Resources, 194 McKown Point Road, West Boothbay Harbor, Maine 04575-0008, Tel: (207) 633-9515 or (207) 633-9535, Email: angel.ripley@maine.gov or kohl.kanwit@maine.gov. During **weekends/holidays**, contact the appropriate State Police barracks: from New Hampshire border to Brunswick, barracks 1-800-228-0857; from Cushing/Boothbay to Lincolnville/Belfast area, barracks 1-800-452-4664; from Belfast to Canadian border, barracks 1-800-432-7381. This notice can be viewed on the Department's website at: http://www.maine.gov/dmr/rm/public_health/closures/closedarea.htm. This information is also recorded on our HOTLINE (207-624-7727 OR 1-800-232-4733).



Meggan Dwyer
Commissioner's Designee – Growing Area Program Supervisor

10:35 AM
(Effective Time)

May 29, 2015



Maine Department of Marine Resources

Pollution Area No. 39

Blue Hill Harbor and Vicinity (Brooklin, Sedgwick, Blue Hill)

